

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
February 21, 2012
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:30 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Emma Acosta, Carl Robinson, Michiel R. Noe, Eddie Holguin, Jr., Steve Ortega, and Cortney Carlisle Niland. Late arrival: Susie Byrd at 8:32 a.m. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. NATIONAL ENGINEERS WEEK
2. NATIONAL GIRLS AND WOMEN IN SPORTS WEEK
3. CEMEX WEEK IN EL PASO
4. LION MILTON R. BULLOCK DAY

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 8:30 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. George Gutierrez
2. Ms. Roya Edalatpour
3. Mr. Richard Schechter
4. Mr. Jerry Thiedt

Ms. Joyce Wilson, City Manager, commented.

Representative Niland commented.

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of February 14, 2012.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***R E S O L U T I O N**

WHEREAS, Texas Local Government Code Section 272.001(a) requires a municipality selling or conveying land to sell or convey such land at fair market value, which must be determined by either an appraisal or the price obtained at public auction, with certain exceptions provided; and,

WHEREAS, Texas Local Government Code Section 272.001(b)-(j) contains exceptions that would not require the municipality to determine the fair market value in the manner specified above, one of which is land sold or conveyed to an abutting property owner if the property owner owns the underlying fee simple of the land being sold or conveyed; and

WHEREAS, the state statute allows the City to establish an alternate method of determining the fair market value for land being sold or conveyed to an abutting property owner if the property owner owns the underlying fee simple of the land being sold or conveyed and the City wishes to establish an alternative method; and,

WHEREAS, on February 15, 2011, the El Paso City Council adopted a policy establishing an alternate method of appraisal for the vacation of a public street, alley or easement to an abutting property owner owning the underlying fee simple; and,

WHEREAS, Texas Local Government Code Section 272.001(b)-(j) also allows the city to sell or convey land to an abutting property owner owning the underlying fee simple of the land being sold or conveyed for less than the fair market value of the land; and,

WHEREAS, City Council wishes to amend policy adopted on February 15, 2011, to allow for land to be sold or conveyed to an abutting property owner owning the underlying fee simple for less than the fair market value of the land; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT, policy adopted by the City Council of the City of El Paso on February 15 is amended in its entirety.

THAT, the City Council of the City of El Paso hereby adopts the following method for determining the compensation for the sale or conveyance of land dedicated to the City as a public street, alley, or easement to the abutting property owner owning the fee simple.

1. Available comparables for the area shall be used to determine the fair market value of the land to be vacated and a property owner meeting the criteria specified in paragraph two below shall pay the city ten percent of the determined fair market value.

2. The property owner must meet the following criteria in order for this policy to apply to the conveyance or sale of the public street, public alley or public easement.

- a. The land or interest to be sold or conveyed was dedicated as a public street, public alley or public easement; and,
- b. The sale or conveyance must be to the abutting property owner and the abutting property owner must own the underlying fee simple to the land being sold or conveyed; and,
- c. City Council must make a finding that the land or interest is no longer needed as a public street, public alley or public easement; and,
- d. If the full width of the public street, alley or easement is to be vacated, then the abutting property owners on both sides of the public street, alley or easement must agree to the vacation, and,
- e. The public street, alley or easement contains one or more building encroachments that have existed for a minimum of 30 years or existed prior to the area being annexed into the City.

3. The City may initiate the vacation of the public street, alley or easement, via plat or separate instrument, where the City determines the encroachments have existed for a minimum of 30 years or where multiple encroachments into a public street, alley or easement create a lack of conformity within neighborhoods and between lots. The City finds that there is public purpose for initiating the vacation in order to rectify the existing conditions of the meandering lot lines to clearly distinguish and reflect the lot lines of private property owners from any existing public street, alley or easement and so that a uniform solution can be provided.

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3B. AND 9D TAKEN TOGETHER

3B.

R E S O L U T I O N

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO REGULAR.**

2ND AND FINAL MOTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign an Interlocal Agreement between the City of El Paso and the County of El Paso to provide for the City up to 150 parking spaces within the County's parking facility at 210 S. Campbell in furtherance of municipal purpose. This agreement is estimated to not exceed \$47,331.00 for the period October 1, 2011 through September 30, 2012. The agreement will automatically renew thereafter on an annual basis and remain in effect until terminated by either party.

Motion made by Representative Byrd, seconded by Representative Niland, and carried to **APPROVE** the Resolution.

Representatives Holguin and Niland commented.

The following City Staff Members commented:

1. Ms. Joyce Wilson, City Manager
2. Assistant Chief Robert Feidner, Police
3. Assistant Chief Eric Shelton, Police

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland

NAYS: Representative Holguin

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3C.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

That the City Manager be authorized to execute a Lessor's Consent to Amendment Number 1 to a Sublease Agreement between Simon Property Group, L.P. successor in interest to Celina Plaza, Inc., and the El Paso Electric Company. The amendment is to expand the leased premises from a 1.681 acre site adjacent to Cielo Vista Mall with El Paso Water Utilities water well site Number 49 to a 1.923 acre electric substation site. The site is legally described as a portion of Block 7, Celina Plaza, El Paso, El Paso County, Texas. The Amendment Number 1 to the Sublease Agreement being substantially in the form as the document attached hereto and made a part hereof for all purposes by this reference.

Representative Acosta commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Bob Andron, El Paso Water Utilities, commented.

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4. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** David A. Shauer to the City Plan Commission by Representative Eddie Holguin, Jr., District 6.

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5 DISCRETIONARY FUNDS

*Motion made, seconded, and unanimously carried to **APPROVE** to allocate the use of discretionary funds from District 1 in the amount of \$1,000; District 2 in the amount of \$250; District 7 in the amount of \$1,500; and District 8 in the amount of \$1,000 to provide funding support to Museums and Cultural Affairs Department (MCAD) for the promotion of the Downtown Artist Market.

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6A – 6B and ADD1 TAKEN TOGETHER

6A. INTRODUCTION

Motion made by Representative Acosta, seconded by Representative Niland, and carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland
NAYS: None
ABSTAIN: Representative Holguin

6A. An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to delete a portion of Independence Drive from Delfina Drive to Elvin Way.

PUBLIC HEARING WILL BE HELD ON MARCH 6, 2012, FOR ITEM 6A

6B. An Ordinance changing the zoning of a portion of Lots 3 through 15, Block 6, Stiles Garden, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7204 ½ - 7228 North Loop Drive. Property Owner: MAR FAM Enterprises, LLC. PZRZ11-00057

PUBLIC HEARING WILL BE HELD ON MARCH 20, 2012, FOR ITEM 6B

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7A.

ORDINANCE 17728

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AGREEMENT BETWEEN THE CITY OF EL PASO AND YOUNG WOMEN'S CHRISTIAN ASSOCIATION (YWCA) EL PASO DEL NORTE REGION, FOR THE LEASE OF THE PROPERTY AT 9135 STAHALA DRIVE, EL PASO, TEXAS, FOR A TERM OF 15 YEARS, WHICH CAN BE RENEWED FOR THREE ADDITIONAL FIVE YEAR TERMS.**

Representative Robinson commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Elke Cummings, YWCA, commented.

Motion duly made by Representative Robinson, seconded by Representative Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

Whereupon the Mayor Pro Tempore ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

Representative Robinson commented.
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7B. ENGINEERING AND CONSTRUCTION MANAGEMENT

*Motion made, seconded, and unanimously carried to **DELETE** the public hearing on an Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, by repealing Chapter 18.02 in its entirety and adopting a new Chapter 18.02 in its place, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code.

Representative Byrd commented.

The following City Staff members commented.

1. Ms. Joyce Wilson, City Manager
2. Mr. Alan Shubert, City Engineer

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8A.

ORDINANCE 17729

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 016749 WHICH ESTABLISHED A POLICY REGARDING SALES AND USE TAX REBATES WITHIN THE AREA COVERED BY THE DOWNTOWN 2015 PLAN TO AMEND THE SUNSET PROVISION, REDUCE THE EXPENDITURE AMOUNT, AND ADD A NEW QUALIFICATION CRITERION.**

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Byrd, Acosta, Robinson, Ortega, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

Motion duly made by Representative Niland, seconded by Mayor Pro Tempore Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland
NAYS: Representative Holguin

Whereupon the Mayor Pro Tempore ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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8B.

ORDINANCE 17730

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 0.115 ACRE PORTION OF RESLER DRIVE RIGHT-OF-WAY, CITY OF EL PASO, EL PASO COUNTY TEXAS. SURW11-00005 APPLICANT: CIMARRON HUNT COMMUNITIES, LLC**

Motion duly made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Byrd commented.

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Acosta

Whereupon the Mayor Pro Tempore ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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8C.

ORDINANCE 17731

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 3 AND 4, BLOCK 9, MONTECILLO UNIT THREE REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-2 (COMMERCIAL) TO SCZ (SMARTCODE ZONE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 21.60 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: SOUTH OF CASTELLANO DRIVE, NORTH OF EXECUTIVE CENTER, EAST OF INTERSTATE 10; AND WEST OF MESA STREET, PROPERTY OWNER: EPT MESA DEVELOPMENT, LP. PZRZ11-00052**

Mr. Mathew McElroy, Deputy Director, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Byrd and Niland commented.

Motion duly made by Representative Niland, seconded by Representative Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Acosta

Whereupon the Mayor Pro Tempore ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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9A. and 9B TAKEN TOGETHER AND VOTED SEPERATELY

9A. DEPARTMENT OF TRANSPORTATION

1ST MOTION

Motion made by Representative Byrd , seconded by Representative Robinson and unanimously carried to **SUSPEND THE RULES** of order to allow for additional speakers after the sign up period.

2ND AND FINAL MOTION

Motion duly made by Representative Niland, seconded by Representative Noe, and unanimously carried to **DELETE** an Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), of the El Paso City Code, to delete an exception from the special privilege and sign permit requirement for signs located in the public right-of-way.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

9B.

ORDINANCE 17732

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15.08 (STREET RENTALS), SECTION 15.08.120 (SPECIAL PRIVILEGE LICENSES AND PERMITS), OF THE EL PASO CITY CODE, TO REQUIRE A SPECIAL PRIVILEGE PERMIT AND ESTABLISH CRITERIA FOR TEMPORARY SIGNS LOCATED IN THE PUBLIC RIGHT-OF-WAY; THE PENALTY BEING AS PROVIDED IN SECTION 15.08.125 AND CHAPTER 1.08 OF THE EL PASO CITY CODE.**

Ms. Michelle Padilla, Transportation Department, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. Kurt Fentersmacker, Assistant Director, Environmental Services, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega, and Niland commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.
3. Mr. William Stern, Assistant Building Official, Environmental Services
4. Mr. Daryl Cole, Director, Department of Transportation, commented.

The following members of the public commented:

1. Ms. Jennifer Stroh, Greater El Paso Association of Realtors
2. Mr. Doug Hamilton, Greater El Paso Association of Realtors
3. Mr. Scott Kesner, Century 21
4. Ms. Lynn Fitzgerald, Citizen
5. Mr. Erin Salsbury, Realtor
6. Mr. Dan Olivas, Realtor
7. Mr. Dennis Melones, Central Business Association

1ST MOTION

Motion made by Representative Byrd, seconded by Representative Robinson and unanimously carried to **SUSPEND THE RULES** of order to allow for additional speakers after the sign up period.

2ND MOTION

Motion made by Representative Noe, seconded by Representative Niland, and carried to approve material of the sign as presented in red or green from sign size.

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: Representative Byrd

3rd AND FINAL MOTION

Motion duly made by Representative Noe, seconded by Representative Niland, that the Ordinance be **ADOPTED, AS REVISED**. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

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9C.

ORDINANCE 17733

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC) TO AMEND CHAPTER 12.88.180 (NO STOPPING OR STANDING – TOW AWAY ZONE), OF THE EL PASO CITY CODE, TO REMOVE PARAGRAPH 111 (OREGON STREET BETWEEN YANDELL DRIVE AND GLORY ROAD), AND TO AMEND CHAPTER 12.88.030 (PARKING PROHIBITED AT ALL TIMES) TO ADD OREGON STREET BETWEEN YANDELL DRIVE AND GLORY ROAD, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 AND CHAPTER 12.85 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives Byrd, Ortega, and Niland

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Daryl Cole, Director, Department of Transportation

Motion duly made by Representative Byrd, seconded by Mayor Pro Tempore Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland

NAYS: None

Whereupon the Mayor Pro Tempore ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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9D. AND 3B TAKEN TOGETHER

9D.

ORDINANCE 17734

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC) SECTION 12.44.180 (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS), OF THE EL PASO CITY CODE, TO CONVERT AND INCREASE THE NUMBER OF PARKING SPACES AROUND AND IN THE PROXIMITY OF THE EL PASO COUNTY COURTHOUSE FOR EL PASO POLICE**

DEPARTMENT VEHICLE PARKING ONLY; TO DELETE HOTEL, SUN CITY AREA TRANSIT AND OREGON STREET ZONE REGULATIONS; AND TO REVISE THE PROVISION REGARDING RENTING PARKING METERS TO CORRECTLY REFERENCE THE EXISTING SCHEDULED FEE; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 AND CHAPTER 12.85 OF THE EL PASO CITY CODE.

Mayor Cook and Representative Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

Motion duly made by Representative Byrd, seconded by Representative Niland, that the Ordinance be **ADOPTED**. Whereupon the Mayor Pro Tempore ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland
NAYS: Representative Holguin

Whereupon the Mayor Pro Tempore ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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10A AND 10B. TAKEN TOGETHER

10A. MAYOR AND COUNCIL

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **DELETE** the discussion and action regarding the special election for the recall and related matters and services.

10B. MAYOR AND COUNCIL

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Byrd, and unanimously carried to **DELETE** the discussion and action on legal matters related to U. S. Congressional redistricting plans for the State of Texas and redistricting litigation on the U. S. District Court for the Western District of Texas, San Antonio Division.

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10C. MAYOR AND COUNCIL

1st MOTION

Motion made by Representative Byrd, seconded by Representative Acosta, and carried to **APPOINT** Ruth Katherine Brennand to the Public Service Board as recommended by the Public Service Board Selection Committee.

AYES: Representatives Lilly, Byrd, Acosta, Noe, Holguin, Ortega and Niland
NAYS: Representative Robinson

2nd MOTION

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **RECONSIDER** the item.

3rd AND FINAL MOTION

Motion made by Representative Byrd, seconded by Representative Acosta, and unanimously carried to **APPOINT** Ruth Katherine Brennand as recommended by the Public Service Board Selection Committee.

Mayor Cook and Representatives Acosta, Holguin, Ortega, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Holguin, Ortega and Niland
NAYS: None

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10D. MAYOR AND COUNCIL

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **DIRECT** the City Manager to assure the top portion of property needs to be maintained and watered as a park.

Mayor Cook and Representatives Byrd, Noe, Holguin and Niland commented.

The following City Staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice
3. Ms. Debbie Hamlyn, Deputy City Manager

Mr. Bob Warrick, Outside Bond Counsel, El Paso Water Utilities commented.

Ms. Francoise Felibert, citizen, commented.

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10E. MAYOR AND COUNCIL

Discussion and action on the security and safety needs of the City and the need to increase security presence to aid in the revitalization process of downtown. **(District 8)**

Mayor Cook and Representatives Byrd, Robinson, Ortega and Niland commented.

Ms. Joyce Wilson, City Manager commented.

Assistant Chief Eric Shelton, Police, commented.

Mr. Dennis Melonas, Central Business Association, commented.

NO ACTION was taken on this item

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10F. MAYOR AND COUNCIL

Discussion and action on providing incentives such as but not limited to free parking in City parking lots and at certain meters in downtown on weekends to encourage shoppers, visitors, and residents to revisit downtown. **(District 8)**

Representative Niland commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Dennis Melones, Central Business Association, commented.

NO ACTION was taken on this item

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11.

RESOLUTION

WHEREAS, Transit-Oriented Development (TOD) incorporates mixed-used residential or commercial development that is designed to maximize access to public transport and encourage increased transit ridership; and

WHEREAS, the City of El Paso has established four TOD zones: the Alameda TOD Corridor, the Dyer Street TOD Corridor, the Mesa Street TOD Corridor, and the Montana Avenue TOD Corridor; and

WHEREAS, in conjunction with the City's designation of the TOD Corridors, the City desires to promote and stimulate commercial activity and reinvestment in targeted areas along the TOD Corridors, which exhibit stagnation or no economic growth.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Manager be directed to develop Transit-Oriented Development (TOD) Revitalization Corridor Districts, specifically along the Alameda Avenue TOD Corridor, the Dyer Street TOD Corridor, the Mesa Street TOD Corridor and the Montana Avenue TOD Corridor; and
2. That the development of the TOD Revitalization Corridor Districts shall include a proposed program of economic development incentives that are designed to induce economic growth in the targeted areas, stimulate job creation and new construction in these designated targeted areas, and will also generate long term positive tax revenue for the City; and
3. That the proposed TOD Revitalization Corridor Districts and the accompanying incentive program shall be presented to City Council for consideration within One-Hundred Eighty (180) days from the date of this Resolution.

Mayor Cook and Representatives Byrd, Acosta, Robinson, Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. William Lilly, Community and Human Development, commented.

Motion made by Representative Byrd, seconded by Representative Robinson, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Noe, Ortega and Niland
NAYS: None
ABSTAIN: Representative Holguin

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12. PARKS AND RECREATION

Discussion and action on a recommendation from the Parks and Recreation Advisory Board to amend the policy on restrooms in outdoor park settings. **(All Districts)**

Ms. Marcia Tuck, Parks and Recreation Department, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Byrd, Acosta, Holguin, and Niland commented.

Ms. Nanette Smejkal, Director, Parks and Recreation, commented.

Ms. Joyce Wilson, City Manager, commented.

NO ACTION was taken on this item,

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ADD1. TAKEN WITH 6A – 6B. INTRODUCTION

An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code) of the El Paso City Code, by repealing Chapter 18.02 in its entirety and adopting a new Chapter 18.02 in its place, the penalty being as provided in Section 18.02.111 (Violations and Penalties) of the El Paso City Code.

(All Districts)

PUBLIC HEARING WILL BE HELD ON MARCH 6, 2012, FOR THE ITEM

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Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:40 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the Executive Session items listed on the Agenda.

Motion made by Representative Acosta, seconded by Representative Niland, and unanimously carried to adjourn the Executive Session at 12:46 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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ADD EX1. Risher Gilbert (551.071)

NO ACTION was taken on this item.

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Motion made by Representative Byrd, seconded by Representative Robinson, and unanimously carried to **ADJOURN** this meeting at 12:46 p.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk